

1/8/14

STATE OF MISSOURI     )  
                                      ) SS  
CITY OF ST. LOUIS     )

314 340 5437

IN THE CIRCUIT COURT CITY OF ST. LOUIS  
STATE OF MISSOURI

IN THE MATTER OF THE APPLICATION     )  
OF THE CIRCUIT COURT CITY OF     )  
ST. LOUIS AND THE STATE OF MISSOURI     )  
FOR AN ORDER AUTHORIZING     )  
THE INSTALLATION AND MONITORING     )  
OF A PEN REGISTER AND/OR TRAP AND     )  
TRACE DEVICE AND/OR CALLER ID AND)     )  
FOR THE PRODUCTION OF     )  
TELECOMMUNICATIONS RECORDS     )

APPLICATION

I, Detective John Baumann, DSN 8922/210, (hereinafter "Applicant"), BEING  
DULY SWORN, hereby apply to this Court for an order pursuant to 18 U.S.C. §§  
2703(c)(3), 3122, 3123 and 3124, authorizing the installation and monitoring of a pen  
register and/or trap and trace device and/or caller identification and directing Sprint  
and any other telecommunications providers to provide to agents of the **Metropolitan  
Police Department, City of St. Louis (SLMPD) and the United States Secret Service  
(USSS) and Agents of the Department of Homeland Security (DHS)/ Immigration  
and Customs Enforcement (ICE) and the United States Marshals Service (USMS)  
and the Drug Enforcement Administration (DEA), Department of Alcohol, Tobacco  
,Firearms and Explosives (ATF)**, (hereinafter "Agencies"), upon oral or written request  
by such agents, the following telecommunications records and assistance pertaining to  
cellular/wireless phone number 314-699-0127 and any other phone numbers  
associated with this account for the period of January 8, 2014 to the present and  
extending sixty (60) days past the date of such Order:

1. Cell site activations;
2. Numbers dialed;
3. Incoming numbers if identified;
4. Subscriber, ESN (Electronic serial number), and/or MEID, and/or MSID, and/or IMSI, and/or IMEI, and billing information for the specified cellular/wireless telephone;
5. Call durations;
6. Subscriber, ESN, and/or MEID, and/or MSID, and/or IMSI, and/or IMEI, and billing information for any other cellular/wireless telephones on this account or that may be identified from these records;
7. The physical address/location of all cellular towers in the specified market;
8. Call detail records in an electronic format specified by any agent of the aforementioned Agencies; and
9. Twenty-four hour a day assistance to include switch based solutions including precision location pursuant to probable cause based information queries and all reasonable assistance to permit the aforementioned Agencies to triangulate target location, including but not limited to terminating interfering service on the target telephone.

It is further requested pursuant to Title 18, United States Code, Section 2703(d), that Sprint and/or any other telecommunications providers provide the aforementioned Agencies with subscriber information including names, addresses, credit and billing information of the subscribers, both published and non-published, for the telephone numbers dialing or being dialed from the cellular/wireless phone number, for

the period of January 8, 2014 to the present and extending (60) days past the date of this Order.

It is further requested that this Court's Order (a) direct Sprint and its resellers not to terminate or restrict service to any cellular/wireless telephone covered by this Order for the duration of the Order; (b) cover and be applied to any cellular/wireless Mobile identification number (MIN) or electronic serial number (ESN) that the subscribers of the phones covered by this Order may change service to for the duration of this Order; (c) direct Sprint and its resellers to furnish the aforementioned Agencies with all information, facilities and technical assistance necessary to accomplish the installation and use of a pen register and or a trap and trace device without geographical limitations unobtrusively and with a minimum of interference with the services of the person and/or party with respect to whom the installation and use is to take place.

In support of this application, Applicant deposes and states as follows:

**I, Detective John Baumann, DSN 8922/210, currently assigned to the St. Louis Metropolitan Police Department Intelligence Division received information relative to subject Melvin Hardy who currently is wanted for a Parole Violation documented under warrant#1204230 on the original charges of Unlawful Use of a Weapon and Distribution of a Controlled Substance. Hardy is wanted by the Special Operations Unit for 3 counts of Unlawful Possession of a Firearm and 5 counts of Possession of a Controlled Substance documented under wanted reference #W07634072.**

On January, 7th, 2014, at approximately 13:30, Detective Ronald Vaughan, DSN 8232, assigned to the Special Operations Unit, in coordination with Intelligence Detective Thomas Scanlon, DSN 4542, executed a Search Warrant at 5260 Genevieve Avenue. The target of the investigation is Melvin Hardy, BM DOB 12/12/1984. He departed the residence just prior to the execution of the Search Warrant.

While on scene, the home owner, Beatrice Laden, arrived and contacted Melvin Hardy on his cellular telephone at 314-699-0127. Furthermore, a reliable C/I who Detective Vaughn has used on multiple previous occasions and provided accurate information provided him with this number for Hardy on January 7th, 2014, and indicated it was Hardy's up to date cell phone number. At approximately 17:00 on the same date, Detective Vaughn contacted Hardy via the above number and He acknowledged that he was indeed Melvin Hardy.

Melvin Hardy has an extensive previous arrest history which includes the following arrests: Assault 1st, Unlawful Possession of a Firearm, UUW, Burglary 1st, Domestic Assault 1st, Assault 2nd, Possession of a Controlled Substance, Distribution of a Controlled Substance, Domestic Assault 2nd, and Domestic Assault 3rd, which has translated to him being a multiple time convicted felon who is currently on Parole for UUW/VMCSL-Distribution.

Melvin Hardy has a cellular telephone phone number of 314-699-0127 with service provided by Sprint.

It is critical that the above mentioned Agencies be able to monitor the movements of the "target cellular telephone" thereby assisting in locating and/or arrest of the suspect(s) in this case. Your affiant believes that the requested authorization would be a valuable asset in achieving the overall goals of this investigation. The details of the above noted search warrant are documented under department complaint number 14-00818. Applicant is a "State investigative or law enforcement officer" as used in Title 18, United States Code, Section 3122, and may apply for disclosure of telecommunications records.

Applicant certifies that the information sought is relevant and material to an investigation, to wit: **It has been confirmed that Melvin Hardy is in possession of his cellular phone. The cellular phone has service provided by Sprint and is still active and by using the phone it is believed that the requested telecommunications records will assist the aforementioned Agencies in the location and apprehension of said offenders.**

Applicant requests that this Application and Order be sealed by the Court and that Sprint and any other telecommunications related carrier and its agents and employees be directed not to disclose the existence of this Order or of this investigation to the subscriber or to any other person unless otherwise directed by the Court as such disclosure would seriously jeopardize this investigation.

WHEREFORE, it is respectfully requested that this Court enter its order (1) authorizing the installation and monitoring of a pen register and/or trap and trace device and/or caller identification and for the production of telecommunications records; and (2) sealing this application and the Court's Order.

Det. HFB 8922/ZID  
Applicant

Trish J. Pratt 58995  
Assistant Circuit Attorney

Subscribed and sworn to before me on this 8<sup>th</sup> day of January, 2014 at  
1:40 PM

This Application shall be filed under SEAL.

[Signature]  
JUDGE